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L.L.C.; and MAGNOLIA HI-FI, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

20 IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC  
MDL No. 1917

## The Honorable Samuel Conti

**This Document Relates to:**

**DECLARATION OF JORDAN S. PAUL IN  
SUPPORT OF DIRECT ACTION  
PLAINTIFFS' REPLY TO DEFENDANT  
CHUNGHWA PICTURE TUBES LTD.'S  
OPPOSITION TO MOTION TO SERVE  
DEFENDANTS CHUNGHWA PICTURE  
TUBES LTD., BEIJING MATSUSHITA  
COLOR CRT CO., LTD., AND LG  
ELECTRONICS TAIWAN TAIPEI CO.  
THROUGH THEIR U.S. COUNSEL**

## ALL DIRECT ACTION COMPLAINTS AND DOCUMENTS

**DECLARATION OF JORDAN S. PAUL IN SUPPORT OF DAPS'  
REPLY TO SERVE FOREIGN DEFENDANTS THROUGH U.S.  
COUNSEL - MASTER FILE NO. 3:07-cv-05944-SC**

1      *Electrograph systems, Inc., et al., v.*  
        *Hitachi, Ltd., et al., Case No.*  
        *11-CV-01656-SC*

3      *Interbond Corporation of America, v.*  
        *Hitachi, Ltd., et al, Case No. 11-CV-06275-*  
        *SC*

5      *Office Depot, Inc., v. Hitachi, Ltd., et al.,*  
        *Case No. 11-CV-06276-SC*

6      *Costco Wholesale Corporation, v. Hitachi,*  
        *Ltd., et al., Case No. 11-CV-06397-SC*

8      *Compucom Systems, Inc., v. Hitachi, Ltd.,*  
        *et al., Case No. 11-CV-06396-SC*

9      *Alfred H. Siegel, as Trustee of the Circuit*  
 10     *City Stores, Inc. Liquidating Trust, v.*  
 11     *Hitachi, Ltd. et al., Case No. 11-CV-05502-*  
       *SC*

12     *Target Corp. et al., v. Chunghwa Pictures*  
 13     *Tubes, Ltd., et al., Case No. 11-CV-05514*  
       *(EDL)*

14     *John R. Stoebner, as Chapter 7 Trustee for*  
 15     *PBE Consumer Electronics, LLC, et al., v.*  
       *LG Electronics, Inc., et al., Case No. CV-*  
       *11-05381-SC*

16     *P.C. Richard & Son Long Island*  
 17     *Corporation, et al., v. Hitachi, Ltd., et al.,*  
       *Case No. 11-CV-05530 (JBW, VVP)*

18     *Schultze Agency Services, LLC, et al., v.*  
 19     *Hitachi, Ltd., et al., Case No. 11-CV-05529*

20     *Target Corp., et al., v. Hitachi, Ltd., et al.,*  
 21     *Case No. 11-CV-05515*

22     *Best Buy Co., Inc., et al., v. Hitachi, Ltd., et*  
       *al., Case No. 11-CV-05513-SC*

**PURSUANT TO FED. R. CIV. P. 4(f)(3)**

Hearing Date: May 21, 2012

Time: 10:00 a.m.

JAMS: Two Embarcadero Center, Suite 1500

Special Master: Hon. Charles A. Legge

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**REPLY DECLARATION OF JORDAN S. PAUL**

I, Jordan S. Paul, hereby declare as follows:

1. I am an attorney with the law firm of Robins, Kaplan, Miller & Ciresi L.L.P., which represents Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise Services, Inc.; Best Buy Stores, L.P.; Bestbuy.com, L.L.C. and Magnolia Hi-Fi, Inc. (collectively, "Best Buy") in the multidistrict litigation *In re Cathode Ray Tube (CRT) Antitrust Litigation*, 3:07-cv-05944-SC (the "MDL"), currently pending in the United States District Court for the Northern District of California.

2. I am a member in good standing of the State Bar of California and admitted to practice before the United States District Court for the Northern District of California.

3. I submit this declaration in accordance with Local Rule 7-5, N.D. Cal., to set forth facts in support of the Direct Action Plaintiffs' Reply To Defendant Chunghwa Picture Tubes Ltd.'s Opposition To Motion To Serve Defendants Chunghwa Picture Tubes Ltd. ("Chunghwa"), LG Electronics Taiwan Taipei Co. ("LGETT"), and Beijing Matsushita Color CRT Co., Ltd. ("BMCC") through their U.S. Counsel Pursuant to Fed. R. Civ. P. 4(f)(3) filed concurrently herewith.

4. The matters stated herein are true to my own personal knowledge, and, if called as a witness, I could and would competently testify thereto.

5. Attached hereto as Exhibit 1 is a true and correct copy of the May 1, 2012 letter from Freshfields Bruckhaus Deringer LLP attorney Christine Laciak to Judge Charles A. Legge and the accompanying Declaration of Christine Laciak.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. .

Executed this 8th day of May, 2012, in Los Angeles, California.

Jordan S. Paul

# **EXHIBIT 1**



Freshfields Bruckhaus Deringer US LLP

Honorable Charles A. Legge  
JAMS  
Two Embarcadero Center  
Suite 1500  
San Francisco, CA 9411

Via Email

May 1, 2012

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OUR REF CAL

**RE: In re Cathode Ray Tube (CRT) Antitrust Litigation, Case No. 07-5944 SC,  
MDL 1917 (N.D. Cal.): Letter to Court re: Direct Action Plaintiffs and State of  
Florida Motions to Serve BMCC via U.S. Counsel**

Your Honor:

As a courtesy to the court, we write to bring to your attention two points in response to the motions filed on April 10, 2012, by the Direct Action Plaintiffs (**DAPs**) and on April 27, 2012, by the State of Florida to serve Beijing Matsushita Color CRT Co., Ltd (**BMCC**) through U.S. counsel (**Foreign Service Motions**). We understand a hearing on the motion is scheduled for May 21, 2012 at 10:00 a.m.

First, as we have informed DAPs and the State of Florida, Freshfields Bruckhaus Deringer US LLP has not been instructed to represent BMCC in the direct action cases or in the actions brought by the state attorney generals. BMCC does not have in-house legal counsel and none of its remaining employees, to our knowledge, is able to read English.

Second, BMCC is a company organized under the laws of the People's Republic of China. It previously manufactured and sold CRTs (i.e., tubes); it never manufactured or sold finished products (i.e., televisions). BMCC has shut down all manufacturing operations and laid off nearly all of its work force. BMCC does not have, and never has had, any subsidiaries or assets in the United States.

Assuming the applicability to the Foreign Service Motions of Judge Conti's ruling (docket #374) on the similar motion by Indirect Purchaser Plaintiffs (**IPP**), the basis for Judge Conti's

The Freshfields Bruckhaus Deringer US LLP partners include members of the Bars of the State of New York and the District of Columbia, Solicitors of the Supreme Court of England and Wales and Rechtsanwälte of Germany

Abu Dhabi Amsterdam Bahrain Barcelona Beijing Berlin Brussels Cologne Dubai Düsseldorf Frankfurt am Main  
Hamburg Hanoi Ho Chi Minh City Hong Kong London Madrid Milan Moscow Munich New York Paris Rome  
Shanghai Tokyo Vienna Washington



**Freshfields Bruckhaus Deringer US LLP**

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ruling does not apply to BMCC as BMCC does not have U.S. subsidiaries, or with respect to the DAP or State of Florida claims, U.S. counsel .

An affidavit is attached in support of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Laciak".

Christine Laciak

cc (via email):

Philip Iovieno, Boies, Schiller & Flexner LLP, Liaison Counsel for Direct Action Plaintiffs  
David Martinez, Robins, Kaplan, Miller & Ciresi L.L.P., Counsel for Best Buy  
Satu Correa, Office of the Attorney General, State of Florida (via email)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION } Case No.: 3:07-CV-5944  
Case No.: 3:07-CV-5944  
MDL NO. 1917 }  
  
DECLARATION OF TERRY CALVANI  
REGARDING DIRECT ACTION  
PLAINTIFF'S MOTION TO SERVE  
DEFENDANT BEIJING MATSUSHITA  
COLOR CRT CO., LTD PURSUANT  
TO FED. R. CIV. P. 4(f)(3) }  
  
Hearing: May 21, 2012 at 10:00 a.m. }

I, Terry Calvani, hereby declare as follows:

13        1. I am an attorney with the law firm of Freshfields Bruckhaus Deringer US LLP  
14 (*Freshfields*).

15        2. I am a member in good standing of the State Bar of California and admitted to  
16 practice before the United States District Court for the Northern District of California.

17       3. I submit this declaration to set forth facts in support of a letter filed concurrently  
18 herewith regarding the motions filed by Direct Action Plaintiffs and the State of Florida to serve  
19 defendant Beijing Matsushita Color CRT Co., Ltd. (**BMCC**) via U.S. counsel.

20        4. Freshfields has not been instructed by BMCC to represent BMCC in the direct  
21 action or state attorney general cases.

22       5. Freshfields informed Anne Nardacci at Boies, Schiller & Flexner LLP, liaison  
23 counsel for direct action plaintiffs that Freshfields has not been instructed by BMCC to represent  
24 BMCC in the direct action cases.

25        6. Freshfields informed Satu Correa of the Attorney General's Office of the State of  
26 Florida that Freshfields has not been instructed by BMCC to represent BMCC in the State of  
27 Florida action.

1       7. BMCC is a company organized under the laws of the People's Republic of China  
2 with its principal and only place of business in Beijing, China.

3        8.      BMCC manufactured Cathode Ray Tubes (“CRTs”), meaning Color Picture  
4      Tubes (“CPTs”) and Color Display Tubes (“CDTs”). BMCC never manufactured or sold  
5      finished products containing CRTs such as televisions or computer monitors.

6           9. To the best of my knowledge, BMCC does not have, and never has had, any  
7 subsidiaries or assets in the United States.

I declare under penalty of perjury under the laws of the United States that the foregoing is  
true and correct.

10 Executed this 1 day of May 2012 in Washington, DC.

  
Terry Calvani